

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11836-RCL

\_\_\_\_\_)  
TRANS-SPEC TRUCK SERVICE, INC.  
d/b/a TRUCK SERVICE,  
Plaintiff

vs.

\_\_\_\_\_)  
CATERPILLAR INC.  
Defendant  
\_\_\_\_\_)

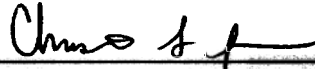
**MOTION FOR LEAVE TO REPLY TO CATERPILLAR INC.'S OPPOSITION TO THE  
PLAINTIFF'S MOTION TO AMEND THE COMPLAINT  
AND REQUEST FOR ORAL ARGUMENT**

Plaintiff Trans-Spec Truck Service, Inc., d/b/a Truck Service ("Trans-Spec"), hereby moves the Court for leave to file a reply to Defendant Caterpillar Inc.'s ("Caterpillar") *Opposition To The Plaintiff's Motion To Amend the Complaint* ("Opposition"). Trans-Spec's proposed *Reply To Caterpillar Inc.'s Opposition To The Plaintiff's Motion To Amend The Complaint And Request For Oral Argument* is attached to this Motion as Exhibit 1

As grounds, Trans-Spec states that Caterpillar's Opposition contains factual errors and misrepresentations requiring a response. Additionally, Caterpillar's Opposition has raised several arguments necessitating response by Trans-Spec. Trans-Spec submits that its succinct Reply will assist the Court in deciding those issues presented in the underlying Motion to Compel.

WHEREFORE, Trans-Spec respectfully requests that the Court grant its *Motion For Leave To Reply To Caterpillar Inc.'s Opposition To The Plaintiff's Motion To Amend The Complaint*.

Respectfully submitted,  
TRANS-SPEC TRUCK SERVICE, INC  
d/b/a TRUCK SERVICE  
By its Attorneys,



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Date: April 20, 2005

**REQUEST FOR ORAL ARGUMENT**

If the Court deems it necessary, Trans-Spec requests oral argument on its *MOTION FOR LEAVE TO REPLY TO CATERPILLAR INC.'S OPPOSITION TO THE PLAINTIFF'S MOTION TO AMEND THE COMPLAINT*.

**CERTIFICATE OF SERVICE**

I, Christian G. Samito, hereby certify that on this 20<sup>th</sup> day of April, 2005, I served a copy of the foregoing, by mail, postage prepaid to:

John A. K. Grunert, Esq.  
Christopher Howe, Esq.  
Campbell Campbell Edwards & Conroy  
One Constitution Plaza, 3<sup>rd</sup> Floor  
Boston, MA 02129



Christian G. Samito, Esq.

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